



# Goodwill Industries of Fort Worth, Inc.

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*Our Business Works—So People Can.*



January 20, 2005

President's Committee for Purchase from People Who Are Blind or Severely Disabled

Attn: G. John Heyer

1421 Jefferson Davis Highway

Jefferson Plaza 2, Suite 10800

Arlington, VA 22202-3259

Dear Mr. Heyer,

On behalf of Goodwill Industries of Fort Worth, we are writing to express our opposition to the proposed notice of rulemaking [Docket No. 2004-01-01] from the President's Committee for Purchase From People Who Are Blind or Severely Disabled. The proposed rulemaking on governance standards for central nonprofit agencies and nonprofit agencies participating in the Javits-Wagner-O'Day (JWOD) Program exceeds the scope of the Committee's authority and Congressional mandate.

Goodwill Industries of Fort Worth, Inc., has provided jobs and job training for people with disabilities in North Texas for 56 years. We currently operate four contracts under JWOD; two at the Fort Worth Bureau of Printing and Engraving, one at the Federal Center in Fort Worth and one at the Naval Air Station in Grand Prairie, Texas. 55 individuals with disabilities are employed under these JWOD contracts.

The authorizing statute for the JWOD program clearly delineates the powers and responsibilities of the Committee (41 CFR 51-2.2, 41 U.S.C. § 46). These powers and responsibilities do not extend to governance standards or executive compensation. Both Congress and the Internal Revenue Service (IRS) have jurisdiction over these areas. The Committee is mandated with determining which commodities and services should be on the Committee's procurement list and fair market prices, and informing federal agencies about the JWOD program.

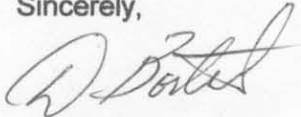
As a participating JWOD agency, we would hope that the Committee would comply fully with the Congressional intent to provide employment and training opportunities for persons who are blind or have other severe disabilities and not delve into areas for which it lacks both the Congressional and statutory authority necessary to promulgate governance and other standards.

The proposed rules will impact the entire community of participating nonprofit agencies, despite the Committee's own comment that the overwhelming majority of JWOD-affiliated central nonprofits agencies and nonprofit agencies operate in an ethical and accountable manner.

The statutory authority and regulations, as well as the legislative history, in addition to the applicable federal case law, do not support the Committee's actions. Furthermore, we have concerns understanding the rationale for the Committee to purport to assume regulatory authority over the governance standards for nonprofit, tax-exempt 501 (c) (3) organizations, because numerous federal entities exist to regulate these organizations.

We believe that the proposed rules do not advance the Congressional intent of the enacting JWOD legislation, and would, if adopted, diminish the program's ability to increase employment opportunities for the blind and disabled. We respectfully request that the Committee withdraw these rules.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. Bostick", written in a cursive style.

David Bostick  
CEO